GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - PR&RD Dept. – Allegation of committed grave misconduct and demanded bribe of an amount of Rs.50,000/- while discharging duties in contravention of Rule-3(1) & (2) of APCS (Conduct) Rules, 1964 against Sri K. Mariyadasu, Panchayat Secretary. Dodleru (V), Krosuru Mandal, Guntur District (now Retd)- Initiated disciplinary action under Rule 9 of A.P. Revised Pension Rules 1980 r/w Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) 1991 — Article of Charge - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No.728 **Dated:01.11.2023.**

Read the following:-

1. G.O. Ms.No.81, Panchayat Raj and Rural Development (Vig.IV) Department, Dated.01.11.2023.
2. From the DG, ACB Lr. C. No. 42/RE-VGT/2020-S,17, Dated 29.12.2020 and 24.01.2022.

.. .. ..

ORDER:

In pursuance of the orders issued in the reference 1st read above, it is proposed to hold Disciplinary proceeding against Sri K.Mariyadasu, Panchayat Secretary. Dodleru (V), Krosuru Mandal, Guntur District (now Retd) on the allegation of committed grave misconduct and demanded bribe of an amount of Rs.50,000/- in discharging his duties in contravention of Rule-3(1) (2) of APCS (Conduct) Rules, 1964 under Rule 9 of A.P. Revised Pension Rules 1980 in accordance with the procedure laid down in Rule 20 of A.P. Civil Services (CC&A) Rules 1991.

2. The substance of the Imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure-l). A statement of the imputations of misconduct or misbehavior in support of article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the Article of Charges are proposed to be sustained are enclosed (Annexure-III & IV).

3. Sri K. Mariyadasu, Panchayat Secretary. Dodleru (V), Krosuru Mandal, Guntur District (now Retd) is directed to submit his written statement of defence within (10) days from the date of receipt of this order.

4. Sri K. Mariyadasu, Panchayat Secretary. Dodleru (V), Krosuru Mandal, Guntur District (now Retd) is informed that an enquiry will be held only in respect of that article of Charge which is not admitted. He should therefore, specifically, admit or deny each article of charge.

(Contd.2)

5. Sri K. Mariyadasu, Panchayat Secretary. Dodleru (V), Krosuru Mandal, Guntur District (now Retd) is further informed that if he does not submit his written statement of defence on or before the date specifed in Para-3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of A.P. (CC&A) Rules, 1991 or the order/ directions issued in pursuance of said rules, the Inquiry authority hold the inquiry against him exparte, based on the material available.

6. Attention of Sri K. Mariyadasu, Panchayat Secretary, Dodleru (V), Krosuru Mandal, Guntur District (now Retd), is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from any person in respect of any matter dealt within these Proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules 1964.

7. The receipt of the proceedings along with Annexure-I, II, III and IV shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K. Mariyadasu, Panchayat Secretary. Dodleru (V),
Krosuru Mandal, Guntur District (now Retd)
through the Commissioner, Panchayat Raj & Rural Development,
Tadepalli, Guntur District.
The Commissioner, Panchayat Raj & Rural Development,
Tadepalli, Guntur District (With a request to
Serve Charge Memo on the Charged Officer with dated
signature and send the same for record).
SC/SF(1402539)

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGE FRAMED AGAINST SRI KOLAGANI MARIYA DASU, PANCHAYAT SECRETARY GRADE 1., DODLERU VILLAGE, KROSURU MANDAL, GUNTUR DISTRICT(NOW RETD.)

CHARGE :

That Sri Kolagani Mariyadasu, S/o Galaiah, Panchayat Secretary. Dodleru Village, Krosuru Mandal, Guntur District while acting as thus, when Sri Syed Masthan Vali approached him for approving his building plan, even he did not obtain any application from Sri Syed Masthan Vali and moreover demanded an amount of Rs.50,000/- from Sri Syed Masthan Vali for approving the building plan and on further pleadings of Sri Syed Masthan Vali reduced the bribe to Rs.30,000/-."

2. Thus, the Retired Government Servant Sri Kolagani Mariya Dasu, S/o Galaiah, Panchayat Secretary Grade-1, Dodleru village of Krosuru Mandal by his above mentioned acts has exhibited lack of integrity, devotion to duty and shown conduct unbecoming of a Government Servant and thereby contravened Rules 3 (1) & (2) of A.P.C.S (Conduct) Rules, 1964.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER

A N N E X U R E-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI KOLAGANI MARIYADASU, PANCHAYAT SECRETARY GRADE 1 DODLERU VILLAGE, KROSURU MANDAL, GUNTUR DISTRICT.

On 12-02-2020 Sri Syed Mastan vali S/o Sri Imam Saheb, Age 59 Years, Dodleru village, Krosuru Mandal has complained to Toll-free No. 14400 Call Centre alleging that he approached the bank seeking loan by pledging his house at Dodleru village, the bank authorities informed him to produce the approval plan of his building. Hence he approached Sri Mariyadasu, Panchayat secretary, Dodleru, Krosuru Mandal and requested to approve his building plan. Then the Panchayat secretary demanded an amount of Rs. 50,000/-at first and on his pleadings, he informed him to pay at least an amount of Rs.30,000/- or otherwise his house plan will not be approved. On receiving the said petition, a Regular enquiry was conducted by ACB, Guntur Range vide RC.No 42/RE- VGT/2020-S.17,dt 16-03-2020.

2. On examination, Sri Syed Masthan Vali S/o Imam Saheb, 59 years, Retd. RTC Conductor, R/o D.No. 4-16, Near Big Mosque, Dodleru Village, Krosuru Mandal, Guntur District, he stated that he is resident of Dodleru village, worked as RTC Conductor and retired from service during June, 2018. With his retirement benefits, he purchased a house near Big Mosque, Dodleru (v). As the house needs repairs, during the month of February, 2020, he approached the Manager of Chaitanya Godavari Grameena Bank, Dodleru Village, Krosuru. Mandal. The Manager of Bank has instructed him to submit his IT Returns, Original documents of the house, Building Plan approved by the Panchayat Secretary and estimation for repairs. After two days of meeting the Bank Manager, he met Sri K.Mariya Das, then Panchayat Secretary, at his office and informed his grievance, enquired him as to how he has to apply for building plan and requested him to provide Building Approved Plan. The Retd.G.S without guiding him as to how he has to apply for building plan, has informed him that Dodleru Village falls in the jurisdiction of CRDA, he has to apply for building plan through mee-seva and the fee will be Rs. 1,00,000/-, if he applies for building Plan to CRDA. He has also told that he also can approve the plan, but the expenses will be Rs.50,000/-. On that he pleaded his inability to pay such a huge amount, then the Retd.G.S. has reduced the bribe amount to Rs. 30,000/-. At that time, he video graphed the conversation between him and the Retd.G.S. through his phone. As he could not pay such huge amount as bribe, he came out of the office. Thereon, when he apprised the facts to Sri Kaipu Rama Krishna Reddy, a local leader, he also met the Retd.G.S. on his work and in that occasion also the Retd.G.S. has demanded an amount of Rs.30,000/-. On the same day i.e. on 12.02.2020 he complained about the demand of bribe of Rs.30,000/- by the Retd.G.S. to Toll-free Phone No.14400. He added that he copied the video file regarding the conservation between him and the Retd.G.S. on 09.02.2020 to a compact disc and handedover to ACB officials when he was examined.

3. On examination Sri Kaipu Rama Krishna Reddy, 60 years, Agriculturist, Dodleru Village, Krosuru mandal, Guntur Dist., has stated that he is resident of Dodleru Village, Krosuru Mandal and live by cultivation. He is the village level YCP leader to Dodleru Village. On 12.02.2020, the petitioner approached him and told him that the Retd.G.S. was demanding Rs.30,000/- for approving his building plan and requested him to pursue the issue. Accordingly, on the same day he met the Retd.G.S. at his office and requested him to provide building plan to the petitioner. Then also the Retd.G.S. demanded Rs.30,000/- bribe for doing the above official work. Then he came out of the office and informed the same to the petitioner etc. facts.

4. On examination Sri Mulakala Balaji S/o Sri Krishna, 30 years, Branch Manager, Chaitanya Godavari Grameena Bank, Dodleru, Krosuru Mandal, Guntur District, R/o D.No.2-92/1, Bantumilli (V & M), Krishna District, he stated that he is working as Branch Manager, Chaitanya Godavari Grameena Bank, Dodleru since 3 years. On 04.02.2020 Sri Syed Masthan Vali approached him and filed an application for loan of Rs.2,00,000/- for the renovation of his house in D. No. 7-71. On that he informed Sri Syed Masthan Vali to produce the original documents along with link documents of the building, Approved building plan and estimation for renovation of the building etc. On that Sri Syed Masthan Vali went away saying that he will bring the above documents.

1. **Letter dt. 04-02-2020 of the petitioner addressed to the Branch Manager, Chaitanya Godavari Grameena Bank, Dodleru**.

   Perusal of the same revealed that the petitioner has filed an application for loan of Rs.2,00,000/- for renovating his house in D.No.7-71 of Dodleru Village, Krosuru Mandal.

2. **Letter dt.05-02-2020 of the Branch Manager,Chaitanya Godavari Grameena Bank, Dodleru addressed to the petitioner**:

   Perusal of the same revealed that basing on the application of the petitioner for loan of Rs. 2,00,000/- for renovating his house in D.No.7-71 of Dodleru Village, Krosuru Mandal, the Branch Manager, Chaitanya Godavari Grameena Bank, Dodleru has addressed this letter to the petitioner informing him to produce (1) Panchayat Approval of Building Plan (2) Engineer's estimation and (3) Link Documents to process his loan application.

MATERIAL EVIDENCE:

During the enquiry when Sri Syed Masthan Vali was examined, he has handed over a compact Disc containing the Video file being the conversation between the Retd.G.S. and petitioner recorded by the petitioner through his cell phone.

1st video file containing the following Conversation Between Retd.GS and Sri Syed Masthan Vali

2nd Video file containing the following Conversation between Retd.G.S. and Sri Syed Masthan Vali

3rd Video fle containing the following Conversation between Retd.G.S. and Sri Syed Masthan Vali

5. From the above Oral, documentary and electronic evidence, it is clear that the then Panchayat Secretary and now retired with an ulterior motive, did not guide the petitioner as to how he has to apply for the approved building plan, threatened the petitioner on the guise of expenditure of Rs. 1,00,000/-, himself demanded an amount of Rs.50,000/- and on the pleadings of the petitioner he reduced the bribe amount to Rs.30,000/.

6. Thus, Sri Kolagani Mariyadasu, S/o Galaiah, Panchayat Secretary Grade-1, Dodleru Village, Krosuru Mandal, Guntur District by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a servant and thereby contravened Rules.3(1)&3(2) of APCS (conduct) Rules, 1964.

7. Hence the Charge.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI KOLAGANI MARIYADASU, PANCHAYT SECRETARY GRADE 1. DODLERU VILLAGE, KROSURU MANDAL, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED.

1. Sri Syed Masthan Vali S/o Imam Saheb, 59 yrs, Rtd. RTC conductor, r/o. D.No. 4-16, Near Big Mosque, Dodleru Village, Krosuru Mandal, Guntur District (complainant/petitioner)
2. Sri Kaipu Rama Krishna Reddy, 60 yrs, Agriculturist, Dodleru Village, Krosuru mandal, Guntur Dist.(Village elder)
3. Sri Mulakala Balaji S/O. Krishna, 30 yrs, Branch Manager, Chaitanya Godavari Grameena Bank, dodleru, Krosuru Mandal, Guntur Dist, R/O. D.No. 2-92/1, Bantumilli (V & M), Krishna District.,.
4. Sri Ch.Ravi Babu, District Inspector, ACB, Guntur.
   If any witness found to be relevant will be produced during the enquiry

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B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – IV

LIST OF DOCUMENTS BY WHICH ARTICLE OF CHARGE FRAMED AGAINST SRIKOLAGANNI MARIYADASU, PANCHAYAT SECRETARY GRADE-1, DODLERU VILLAGE, KROSURU MANDL, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED

1. The letter dt. 04.02.2020 of the petitioner addressed to the Branch Manager,Chaitanya Godavari Grameena Bank, Dodleru to sanction of loan 2,00,000/- for renovation of his house.
2. The letter dt. 05.02.2020 of the Branch Manager, Chaitanya Godavari Grameena Bank, Dodleru addressed to the petitioner to furnish the required documents.
3. Material Evidence : Sony CD-R, 700MB (During the enquiry when the petitioner was examined, he has handed over a compact Disc containing the 3 Video files the conversation between the A.O. and petitioner recorded by the petitioner through his Cell phone on 09-02-2020).
4. Statement of Sri Syed Masthan Vali S/O. Imam Saheb, 59 yrs, Rtd. RTC conductor, r/o. D. No. 4-16, Near Big Mosque, Dodleru Village, Krosuru Mandal, Guntur District (complainant/petitioner)
5. Statement of Sri Kaipu Rama Krishna Reddy, 60 yrs, Agriculturist, Dodleru Village, Krosuru mandal, Guntur Dist.
6. Statement of Sri Mulakala Balaji S/O. Krishna, 30 yrs, Branch Manager, Chaitanya Godavari Grameena Bank, Dodleru, Krosuru Mandal, Guntur Dist, R/O. D. No. 2-92/1, Bantumilli (V & M), Krishna District.,.
7. Receipt of Spandana 14400 call centre dated on 12-02-2020.

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B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER